REMARKS/ARGUMENTS

Claims 1-3 and 26-33 remain pending in this application, and upon entry of the present amendment, new claims 34-38 are added. In the Office Action, claims 1-2, 26, 29 and 31-33 stand rejected under 35 U.S.C. 102(e) as being anticipated by *Park, et al.* (U.S. Patent No. 6,714,799); claim 3 stands rejected under 35 U.S.C. 103(a) as being obvious in view of *Park et al.*; claims 27-28 stand rejected under 35 U.S.C. 103(a) as being obvious in view of a combination of *Park et al.* and *Anvekar et al.* (U.S. Patent No. 6,684,072); and claim 30 stands rejected under 35 U.S.C. 103(a) as being obvious in view of a combination of *Park et al.*, *Link II, et al.* (U.S. Patent No. 6,334,054) and *Haas et al.* (U.S. Patent No. 6,615,036). The Office Action also rejects claims 3 and 30 under 35 U.S.C. 112, second paragraph, for informalities that are rendered moot by the above amendments.

I. Claims 1-3 and 26-30

Amended independent claim 1 recites, among other features:

> a card controller configured to control a card connected to the mobile communication apparatus, where the card controller reads out a first information from the card, said first information indicating a characteristic of a mobile network to which said card belongs;
>
> an interface configured to receive second information broadcast from a mobile network in which said apparatus is located, said second information indicating a characteristic of said mobile network in which said apparatus is located; and
>
> a memory, said memory storing a table identifying an operation to be performed by the mobile communication apparatus corresponding to the first and second information, wherein said apparatus is configured to set an operation to be performed by the

mobile communication apparatus stored in the table based on a comparison of said first and second information.

In rejecting claim 1, the Office Action contends that *Park et al.* discloses each and every recited feature. *Park et al.* relates to a system for using a GSM cell phone, having a SIM card, in a CDMA service area. When the *Park et al.* user inserts a SIM card into his/her GSM phone in a CDMA area, the phone first undergoes a password process with the user (col. 6, lines 24-33), and when the password process is completed, the phone retrieves information from the SIM card (col. 6, lines 33-38) and transmits it to the CDMA network (col. 6, lines 40-45). The phone then waits while the CDMA network consults with the user's GSM network for authorization, and if the GSM network authorizes the SIM card, the GSM network informs the CDMA network of this, and the CDMA network transmits verification data to the phone, indicating that the SIM card is valid (col. 7, lines 57-60). To reject claim 1, the Office Action cites the *Park et al.* information transmitted by the phone to the CDMA network as the claimed "first information," and the verification data as the claimed "second information." The Office Action acknowledges that the verification data comprises information "relating to the identity of the GSM subscriber." Office Action, p. 3. However, there is no teaching or suggestion in *Park et al.* that the verification data or its identity information are "indicating a characteristic of said mobile network in which said apparatus is located," as recited in amended claim 1.

Furthermore, amended claim 1 also recites the mobile communication apparatus having a memory storing a table identifying an operation to be performed by the mobile communication apparatus corresponding to the first and second information, and "wherein said apparatus is configured to set an operation to be performed by the mobile communication apparatus stored in the table based on a comparison of said first and second information." The Office Action does

not specifically identify any table in *Park et al.*, and instead refers to the "CDMA enablement procedure being inherent to a table in the CDMA terminal's memory wherein basic telephone functions are stored." Office Action, p. 3. *Park et al.* fails to teach or suggest that its cell phone is configured to compare the information it transmitted to the CDMA network (the alleged "first information") with the verification data that it receives from the CDMA network (the alleged "second information"). Accordingly, *Park et al.* fails to teach or suggest the claim 1 apparatus, having the recited memory and table, and "wherein said apparatus is configured to set an operation to be performed by the mobile communication apparatus stored in the table based on a comparison of said first and second information."

None of the other applied references overcome the deficiency in *Park et al.*, and amended independent claim 1 distinguishes over the art of record. Claims 2-3 and 26-30 depend from claim 1, and are distinguishable for at least the same reasons as claim 1, and in view of other features recited therein.

II. Claims 31-34

Amended claim 31 recites, among other features:

> a memory, said memory storing a table identifying an incoming call handling operation to be performed by the mobile communication apparatus corresponding to the first and second information, and a time period for permitting the operation

Independent claim 31 stands rejected as being anticipated by *Park et al.* The Office Action cites a phone number registration feature in *Park et al.* as the claimed "operation," and alleges that a time period for entering the number is the claimed "time period." Office Action,

pp. 3-4. The *Park et al.* registration feature allows users to store a phone number on either the SIM card or the phone's own internal memory (col. 10, lines 53-56). Once registered in this fashion, the *Park et al.* user can then use an abbreviated dialing feature to dial the registered number (col. 10, lines 66-67). *Park et al.*'s use of this feature does not teach or suggest the claim 31 apparatus. For example, the *Park et al.* phone number entry process is not an "incoming call handling operation to be performed by the mobile communication apparatus corresponding to the first and second information," as recited in amended claim 31.

The remaining references do not overcome this deficiency, and that claim 1 is distinguishable over the art of record. Claims 31-34 depend on claim 31, and are distinguishable for at least the same reasons as claim 31.

III. New Claims 35-38

Applicants have also added new claims 35-38, and submit that these claims are also distinguishable over the art of record. New independent claim 35 recites:

> A mobile communication apparatus, comprising:
>
> one or more storage devices; and
>
> a controller, wherein said controller is configured to:
>
> determine a roaming status of said mobile communication apparatus by comparing network indication information stored in said one or more storage devices with broadcast network indication information received by said apparatus from a mobile network in which said mobile communication apparatus is located; and
>
> set a future incoming call handling operation of said apparatus based on said controller-determined roaming status and a schedule stored in said one or more storage devices.

None of the art of record, alone or in combination, teaches or suggests such an apparatus. Claims 36-38 depend from claim 35, and are distinguishable for at least the same reasons as claim 35, and further in view of the various features recited therein.

CONCLUSION

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if the Examiner believes that further discussion and/or amendment is necessary to place the application in condition for allowance, the Examiner is invited to telephone applicant's undersigned representative at the number appearing below.

Respectfully submitted,

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Dated: OCT. 14, 2005

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